

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Clifford Craig Tittle

Docket No. 5:06-CR-44-1D

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Clifford Craig Tittle, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1) and 924, was sentenced by the Honorable James C. Dever III, U.S. District Judge, on September 11, 2006, to the custody of the Bureau of Prisons for a term of 63 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall submit a written weekly report to the probation office, if not regularly employed, of attempts to secure gainful employment.
4. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Clifford Craig Tittle was released from custody on May 2, 2010, at which time the term of supervised release commenced.

In response to a positive drug test, the court added the DROPS condition on November 16, 2010.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Mr. Tittle failed to participate in the Surprise Urinalysis Program on March 3, 2011. The probation officer called Mr. Tittle in for an office visit on March 14, 2011, at which point, Mr. Tittle provided the probation officer with a Urinating in Public citation he received in Mecklenburg County, NC on March 6, 2011. In addition to missing his Surprise Urinalysis on March 3, 2011, Mr. Tittle was not given permission to leave the Eastern District of North Carolina. The probation officer believes that the defendant can be returned to compliance and recommends that supervision continue. The defendant has been sternly reprimanded relative to all violation conduct and any future non compliance will be immediately reported to the court. The probation officer recommends that the conditions of supervision be modified to add a curfew condition with electronic monitoring.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew from 8:00 PM to 6:00 AM, or as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Maurice J. Foy
Maurice J. Foy
Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8678
Executed On: March 16, 2011

ORDER OF COURT

Considered and ordered this 16 day of March, 2011, and ordered filed and made a part of the records in the above case.


James C. Dever III
U.S. District Judge